

**THURSDAY, MAY 24, 2001**  
**FORTY-THIRD LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative McDonald.

Representative McDonald led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present.....97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Odom; business reasons.

Representative Stanley; business reasons.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 62:** Rep(s), Mumpower and Davis (Washington) as prime sponsor(s).

**House Joint Resolution No. 286:** Rep(s), Sargent as prime sponsor(s).

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**House Joint Resolution No. 327:** Rep(s). Davis (Washington) as prime sponsor(s).

**House Bill No. 135:** Rep(s). Sharp, Patton and Pleasant as prime sponsor(s).

**House Bill No. 474:** Rep(s). S. Jones, Pruitt, Black, Langster and Brooks as prime sponsor(s).

**House Bill No. 655:** Rep(s). Todd as prime sponsor(s).

**House Bill No. 712:** Rep(s). Goins, Baird and Winningham as prime sponsor(s).

**House Bill No. 1396:** Rep(s). McDaniel as first prime sponsor(s).

**House Bill No. 1559:** Rep(s). Towns, Turner (Hamilton) and Brown as prime sponsor(s).

**MESSAGE FROM THE SENATE**

**May 24, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 377; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

**Senate Joint Resolution No. 377** -- Memorials, Academic Achievement - 2001 Nissan Neighbors Good Citizen Scholarship recipients. by \*Trail, \*Cooper J, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**MESSAGE FROM THE SENATE**

**May 24, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 343, 345, 346, 347, 351, 352, 353 and 355; all adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

**Senate Joint Resolution No. 343** -- Memorials, Academic Achievement - Emily Elizabeth Roettger, Valedictorian, Wartburg Central High School. by \*Davis L.

**Senate Joint Resolution No. 345** -- Memorials, Academic Achievement - Kevin Lee Peddicord, Valedictorian, Wartburg Central High School. by \*Davis L.

**Senate Joint Resolution No. 346** -- Memorials, Personal Occasion - Joseph Wilson "Doc" and Catherine Murphy Bradley, fiftieth wedding anniversary. by \*Cooper J.

**Senate Joint Resolution No. 347** -- Memorials, Interns - Erin M. Gonzalez. by \*Cooper J, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**Senate Joint Resolution No. 351** -- Memorials, Interns - Neil Kerr. by \*Harper, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**Senate Joint Resolution No. 352** -- Memorials, Interns - Shane Jervis. by \*Haun, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**Senate Joint Resolution No. 353** -- Memorials, Academic Achievement - Bryan Watson, Valedictorian, Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 355** -- Naming and Designating - Designates September 16-22, 2001, as "Accounting Week in Tennessee." by \*Crowe, \*Williams, \*McNally.

## RECOGNITION IN THE WELL

Rep. Rinks was recognized in the Well to introduce the members of the "Safe Neighborhood Grant Program," for remarks.

## RULES SUSPENDED

Rep. Rinks moved that the rules be suspended for the purpose of introducing House Resolution No. 129 out of order, which motion prevailed.

**House Resolution No. 129** -- Memorials, Public Service - Sheriff Tim Hutchison and Knox County Sheriff's Office. by \*Rinks, \*Naifeh, \*DeBerry L, \*Davidson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Rinks, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes .....97  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Rinks moved that the rules be suspended for the purpose of introducing House Resolution No. 130 out of order, which motion prevailed.

**House Resolution No. 130** -- Memorials, Public Service - Chattanooga Police Department, recipient of Safe Neighborhood Act funding. by \*Rinks, \*Naifeh, \*DeBerry L, \*Davidson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Rinks, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Rep. Langster was recognized in the Well to introduce Mr. Jim Travis, for remarks.

RULES SUSPENDED

Rep. Langster moved that the rules be suspended for the purpose of introducing House Resolution No. 128 out of order, which motion prevailed.

**House Resolution No. 128** -- Memorials, Retirement - Jim Travis, Political Correspondent, WSMV-TV. by \*Langster, \*Jones, S., \*West.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Langster, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes .....95  
Noes.....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**House Joint Resolution No. 460** -- Naming and Designating - Designates July 7, 2001, as Veterans Memorial Dedication Day. by \*Bone.

House Calendar and Rules Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 29, 2001:

**House Resolution No. 131** -- Memorials, Professional Achievement - Mike Forrester, Child Advocacy Award. by \*Godsey.

**House Resolution No. 132** -- Memorials, Retirement - Sam Bratton. by \*Boyer, \*Buttry.

**House Resolution No. 133** -- Memorials, Personal Achievement - Maurice Sanders. by \*Head, \*McMillan.

**House Joint Resolution No. 475** -- Memorials, Interns - Phillip Patterson. by \*Sharp.

**House Joint Resolution No. 476** -- Memorials, Academic Achievement - Lorraine Elisabeth Ward, Co-Valedictorian, Midway High School. by \*Ferguson.

**House Joint Resolution No. 477** -- Memorials, Academic Achievement - Katherine Dungan, Valedictorian, Roane County High School. by \*Ferguson.

**House Joint Resolution No. 478** -- Memorials, Academic Achievement - Jesse Richmond, Valedictorian, Roane County High School. by \*Ferguson.

**House Joint Resolution No. 479** -- Memorials, Academic Achievement - Richard Brooksbank, Valedictorian, Roane County High School. by \*Ferguson.

**House Joint Resolution No. 480** -- Memorials, Academic Achievement - Jimmie Whittenbarger, Salutatorian, Roane County High School. by \*Ferguson.

**House Joint Resolution No. 481** -- Memorials, Academic Achievement - Amanda Michelle Hanks, Salutatorian, Midway High School. by \*Ferguson.

**House Joint Resolution No. 482** -- Memorials, Academic Achievement - Isaiah Austin Ruffner, Co-Valedictorian, Midway High School. by \*Ferguson.

**House Joint Resolution No. 483** -- Memorials, Academic Achievement - Jessica Hunt, Salutatorian, Roane County High School. by \*Ferguson.

**House Joint Resolution No. 484** -- Memorials, Interns - Heather R. Tanner. by \*Todd, \*Scroggs.

**House Joint Resolution No. 485** -- Memorials, Retirement - Robert M. Mehlhorn. by \*Winningham.

**House Joint Resolution No. 486** -- Memorials, Academic Achievement - Breenen M. Milam, Valedictorian, Maryville Christian School. by \*Overbey, \*McCord.

**House Joint Resolution No. 487** -- Memorials, Academic Achievement - Laura Knowe, Salutatorian, Maryville Christian School. by \*Overbey, \*McCord.

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**House Joint Resolution No. 488** -- Memorials, Recognition - Mayor Stephen T. West of Maryville, Academic Letters Awards honoree and inductee for Maryville-Alcoa Daily Times Wall of Fame. by \*Overbey, \*McCord.

**House Joint Resolution No. 489** -- Memorials, Recognition - Galen W. Johnson, Jr., Maryville-Alcoa Daily Times Wall of Fame. by \*Overbey, \*McCord.

**House Joint Resolution No. 490** -- Memorials, Public Service - Richard Williams Jr., Blount County Commissioner, Daily Times Alumni Wall of Fame. by \*Overbey, \*McCord.

**House Joint Resolution No. 491** -- Memorials, Recognition - Carolyn DeLozier Forster. by \*Overbey, \*McCord.

**House Joint Resolution No. 494** -- Memorials, Interns - Elizabeth Ann Johnstone. by \*Davidson.

**House Joint Resolution No. 495** -- Memorials, Interns - Allison Alicia Andraza. by \*Davidson.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 29, 2001:

**Senate Joint Resolution No. 354** -- Memorials, Death - Ann Campion Beneke. by \*Cohen.

**Senate Joint Resolution No. 377** -- Memorials, Academic Achievement - 2001 Nissan Neighbors Good Citizen Scholarship recipients. by \*Trail, \*Cooper J, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**Senate Joint Resolution No. 343** -- Memorials, Academic Achievement - Emily Elizabeth Roettger, Valedictorian, Wartburg Central High School. by \*Davis L.

**Senate Joint Resolution No. 345** -- Memorials, Academic Achievement - Kevin Lee Peddicord, Valedictorian, Wartburg Central High School. by \*Davis L.

**Senate Joint Resolution No. 346** -- Memorials, Personal Occasion - Joseph Wilson "Doc" and Catherine Murphy Bradley, fiftieth wedding anniversary. by \*Cooper J.

**Senate Joint Resolution No. 347** -- Memorials, Interns - Erin M. Gonzalez. by \*Cooper J, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

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**Senate Joint Resolution No. 351** -- Memorials, Interns - Neil Kerr. by \*Harper, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**Senate Joint Resolution No. 352** -- Memorials, Interns - Shane Jervis. by \*Haun, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**Senate Joint Resolution No. 353** -- Memorials, Academic Achievement - Bryan Watson, Valedictorian, Gordonsville High School. by \*Rochelle.

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**\*House Bill No. 2021** -- Milan - Pursuant to local request, authorizes bond issue for construction in Milan Special School District and funding for bond issue. Amends TCA Chapter 504 of the Private Acts of 1945. by \*Phelan, \*Pinion.

**House Bill No. 2022** -- Humboldt - Subject to local approval, rewrites city charter. Amends Chapter 77 of the Private Acts of 1913. by \*Phelan.

### DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 2023, was/were referred to the Delayed Bills Committee.

**House Bill No. 2023** -- Fayette County - Authorizes levy of fire protection fee in lieu of fire tax authorized pursuant to Section 5-17-106. Amends TCA Title 5, Chapter 17, Part 1. by \*Fitzhugh, \*Naifeh. (\*SB1989 by \*Wilder)

### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 218** -- Education - Provides for grant program, subject to appropriation of funds, to be administered by commissioner of education for purchase of home computers for use of school-aged children. by \*Dixon. (HB1044 by \*Armstrong, \*DeBerry L, \*Jones U (Shelby), \*Cooper B, \*Turner (Shelby), \*Miller L)

**Senate Bill No. 293** -- Victims' Rights - Enacts "Victim Specialist Certification Act." Amends TCA Title 40, Chapter 38. by \*Davis L, \*Burks. (\*HB301 by \*McMillan)



## **THURSDAY, MAY 24, 2001 – FORTY-THIRD LEGISLATIVE DAY**

**Senate Bill No. 569** -- Mental Illness - Decreases from ten to five days time in which court hospitalizing patient in mental health facility must be notified if such patient dies. Amends TCA Title 33. by \*Crutchfield. (\*HB69 by \*Buck, \*Odom)

**Senate Bill No. 774** -- Children - Establishes procedure for parents to surrender unwanted infants to hospital or emergency care provider; ensures immunity from criminal prosecution to parents acting in accord with this act; establishes community and school education program regarding child-care, pregnancy, and services available for parents Amends TCA Section 34-11-103; Title 36; Title 37; Section 63-6-218 and Title 68. by \*Harper, \*Kyle, \*Clabough, \*Williams. (\*HB474 by \*Maddox, \*Boyer, \*McCord, \*Bunch, \*Overbey)

**Senate Bill No. 867** -- Foster Care - Adds 90 day due date for individual foster care plans required for children under supervision of contract agency. Amends TCA Title 71. by \*Atchley. (\*HB8 by \*Odom)

**Senate Bill No. 907** -- Public Health - Enacts "Education and Prevention Program for Hepatitis C Act.". by \*Dixon. (\*HB605 by \*DeBerry L., \*Armstrong, \*Ferguson)

**\*Senate Bill No. 983** -- Tort Liability - Confers civil and criminal immunity upon persons in occupational classifications that are required to report suspected child abuse and confers civil and criminal immunity on others reporting child abuse if reported in good faith and reporter is not perpetrator of abuse. Amends TCA Title 37, Chapter 1, Part 4. by \*Haynes, \*Person, \*Jackson, \*Dixon, \*Burks. (HB817 by \*McMillan, \*Caldwell, \*Buttry, \*Newton, \*Windle, \*Pruitt, \*Fowlkes, \*Briley, \*Sands, \*Jones, S., \*Arriola, \*Odom, \*Brown, \*Langster)

**Senate Bill No. 1140** -- Administrative Procedure (UAPA) - Requires that all mandatory instructions and payment methodology for service providers used by department of mental health and developmental disabilities shall be promulgated as UAPA rules and be consistent among same classes of providers. Amends TCA Title 33. by \*Herron, \*Fowler. (\*HB466 by \*Maddox, \*Kisber, \*Fitzhugh)

**Senate Bill No. 1959** -- Education - Allows accumulated or allocated "snow days" to be applied toward closings due to outbreaks of illness or epidemics. Amends TCA Section 49-6-3004. by \*Burchett, \*McNally, \*Burks, \*Blackburn, \*Davis L., \*Williams. (\*HB1993 by \*Hagood, \*McDaniel)

## **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 2017** -- Jackson -- Local Bill Held on House Desk

## REPORTS FROM STANDING COMMITTEES

The committees that met on **May 24, 2001**, reported the following:

### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 24, 2001**: House Resolution(s) No(s). 83.

The Committee also met and set the following bill(s) on the **Supplemental Regular Calendar** for **May 24, 2001**: House Resolution(s) No(s). 119.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 29, 2001**: Senate Joint Resolution(s) No(s). 134, House Bill(s) No(s). 1987, 1616, Senate Joint Resolution(s) No(s). 155.

### CONSENT CALENDAR

**\*House Resolution No. 62** -- General Assembly, Confirmation of Appointment - Vance W. Cheek, Jr., Claims Commission. by \*Patton.

**\*House Bill No. 1403** -- Bail, Bail Bonds - Prohibits magistrates from requiring board of probation and parole to supervise criminal defendants before trial. Amends TCA Section 40-11-116. by \*Todd, \*McDaniel. (SB1681 by \*Norris, \*Atchley)

**\*House Bill No. 1909** -- Highway Signs - "William Broady Harrison Memorial Bridge," S.R. 72 in Loudon County. by \*Johnson. (SB1875 by \*Miller J)

**House Bill No. 1030** -- Taxes, Real Property - Adds counties having 800,000 or more citizens to real and tangible personal property exemption for nonprofit economic or charitable development organization in counties containing or adjacent to counties containing national laboratory facility. Amends TCA Section 67-5-224. by \*Brooks. (\*SB751 by \*Dixon)

**\*Senate Joint Resolution No. 153** -- Memorials, Government Officials - Urges National Highway Traffic Safety Administration to strengthen standards for construction and testing of tires used on commercial motor vehicles. by \*Henry, \*Williams.

**House Joint Resolution No. 474** -- Memorials, Retirement - Jim Travis, Political Correspondent, WSMV-TV. by \*Ridgeway, \*Shepard, \*Buck, \*Pinion, \*Maddox, \*White, \*Fitzhugh.

Rep. Ridgeway moved that all members voting aye on House Joint Resolution No. 474 be added as sponsors, which motion prevailed.

### OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 1909:** by Rep. Newton

**House Bill No. 1030:** by Rep. Boyer

Under the rules, House Bill(s) No(s). 1909 and 1030 was/were placed at the foot of the calendar for May 29, 2001.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. McDaniel moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 492 out of order, which motion prevailed.

**House Joint Resolution No. 492** -- General Assembly, Recess & Reconvene - Recesses general assembly from Thursday, May 24 to Tuesday, May 29. by \*Davidson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Davidson, and seconded by Rep. McDaniel, the resolution was adopted.

A motion to reconsider was tabled.

REGULAR CALENDAR

**House Bill No. 1859** -- Highway Signs - Prohibits erection of new highway sign structure in which two or more displays are stacked one above other; stacked signs existing on or before effective date of act not to be deemed non-conforming until such sign's structure is modified, repaired, replaced, or rebuilt; structures with more than one display are allowed if size does not exceed statutory limits. Amends TCA Title 54, Chapter 21. by \*McCord. (\*SB1565 by \*Ramsey)

Further consideration of House Bill No. 1859 previously considered on May 3, 2001 and May 10, 2001, at which time it was reset for today's Calendar.

Rep. McDaniel moved that House Bill No. 1859 be reset for the Regular Calendar on May 29, 2001, which motion prevailed.

**House Bill No. 1678** -- Gambling - Redefines criminal offense of gambling to clarify that any form of casino gambling is prohibited; clarifies that lotteries do not include electronic or electromechanical forms of casino gambling. Amends TCA Title 39, Chapter 17, Part 5. by \*Maddox, \*McDaniel, \*Fitzhugh, \*Boyer, \*Ridgeway, \*Shepard, \*Pinion, \*Roach, \*McKee, \*Briley. (\*SB1717 by \*McNally, \*Herron)

Further consideration of House Bill No. 1678 previously considered on April 23, 2001 and May 16, 2001. The bill was also considered on May 3, 2001, at which time the House adopted Amendment(s) No(s). 1 and withdrew Amendment(s) No(s). 2 and 3; and it was also considered on May 10, 2001, at which time the House placed Amendment(s) No(s). 4 at the heel of the Amendments.

Rep. Maddox requested that House Bill No. 1678 be moved to the heel of the Calendar.

**\*House Bill No. 1548** -- Loan Companies and Short Term Lenders - Requires thumbprint of pledgor, if pledgor has thumb, to be made part of pawnshop transaction record in Shelby County; if thumb amputated, then such other fingerprint as required by pawnbroker shall be taken and described on record. Amends TCA Section 45-6-209. by \*Jones U (Shelby), \*DeBerry J, \*Miller L, \*Pleasant, \*Buck. (SB1801 by \*Dixon)

Further consideration of House Bill No. 1548 previously considered on May 17, 2001, at which time it was reset for today's Calendar.

Rep. Buck moved that House Bill No. 1548 be reset for the Regular Calendar on May 29, 2001, which motion prevailed.

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**\*House Bill No. 244** -- Human Rights - Specifies civil penalties under THRA relative to print media engaged in discriminatory practices; current remedies not to apply to print media. Amends TCA Title 4, Chapter 21. by \*Williams (Williamson). (SB347 by \*Cooper J)

On motion, House Bill No. 244 was made to conform with **Senate Bill No. 347**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that Senate Bill No. 347 be reset for the Regular Calendar on July 12, 2001, which motion prevailed.

**\*House Bill No. 295** -- Taxes - Authorizes counties to impose local option realty transfer tax. Amends TCA Title 67, Chapter 4, Part 5. by \*Head, \*Fitzhugh. (SB1235 by \*Cooper J)

Further consideration of House Bill No. 295 previously considered on May 17, 2001, at which time it was reset for today's Calendar.

Rep. Head moved that House Bill No. 295 be reset for the Regular Calendar on May 31, 2001, which motion prevailed.

**\*Senate Bill No. 83** -- Sunset Laws - Child welfare licensing board of review, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 3. by \*Harper. (HB926 by \*Kernell, \*Brooks, \*Cooper B)

Further consideration of Senate Bill No. 83 previously considered on May 21, 2001, at which time the adopted Amendment(s) No(s). 1 and reset the bill for today's Calendar.

Rep. Kernell moved that Senate Bill No. 83 be reset for the Regular Calendar on May 29, 2001, which motion prevailed.

**\*House Bill No. 466** -- Administrative Procedure (UAPA) - Requires that all mandatory instructions and payment methodology for service providers used by department of mental health and developmental disabilities shall be promulgated as UAPA rules and be consistent among same classes of providers. Amends TCA Title 33. by \*Maddox, \*Kisber, \*Fitzhugh. (SB1140 by \*Herron, \*Fowler)

Further consideration of House Bill No. 466 previously considered on May 21, 2001, at which time it was reset for today's Calendar.

On motion, House Bill No. 466 was made to conform with **Senate Bill No. 1140**; the Senate Bill was substituted for the House Bill.

Rep. Maddox moved that Senate Bill No. 1140 be passed on third and final consideration.

On motion, Rep. Ferguson withdrew Health and Human Resources Committee Amendment No. 1.

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On motion, Rep. Ferguson withdrew Health and Human Resources Committee Amendment No. 2.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 3.

Rep. Maddox moved that **Senate Bill No. 1140** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....93  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 1559** -- Safety - Alters certain requirements pertaining to use of certain restraint systems in passenger motor vehicles. Amends TCA Title 55, Chapter 9, Part 6. by \*Brooks. (\*SB1731 by \*Ford J)

Further consideration of House Bill No. 1559 previously considered on May 21, 2001, at which time it was reset for today's Calendar.

On motion, House Bill No. 1559 was made to conform with **Senate Bill No. 1731**; the Senate Bill was substituted for the House Bill.

Rep. Brooks moved that Senate Bill No. 1731 be passed on third and final consideration.

Rep. Ridgeway moved adoption of House Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1731 by deleting all language after the enacting clause and by substituting instead the following:

**SECTION 1.**

(a) Tennessee Code Annotated, Section 55-9-602(a), is amended by inserting the following sentence immediately after the first sentence:

If the motor vehicle possesses front seats and rear seats, then such child may not be transported in a front seat.

(b) Tennessee Code Annotated, Section 55-9-602(a), is further amended by deleting the punctuation and words ", or attending to its other physiological needs".

(c) Tennessee Code Annotated, Section 55-9-602(a), is further amended by designating the amended language of the subsection as subdivision "(a)(1)" and by adding the following new language, to be designated as subdivision "(a)(2)":

(2) Any person transporting a child, between four (4) and eight (8) years of age who weighs less than eighty (80) pounds, in a motor vehicle upon a road, street or highway of Tennessee is responsible for providing for the protection of the child and properly using a child passenger booster-seat restraint system meeting federal motor vehicle safety standards. If the motor vehicle possesses front seats and rear seats, then such child may not be transported in a front seat.

SECTION 2. Tennessee Code Annotated, Section 55-9-602(g), is amended by deleting subdivision (1) and by substituting instead the following:

(1) Any person transporting any child, between four (4) and eight (8) years of age who weighs eighty (80) pounds or more, or any child, between eight (8) and fifteen (15) years of age, in a passenger motor vehicle upon a road, street or highway of Tennessee is responsible for the protection of the child and properly using a passenger restraint system, including safety belts, meeting federal motor vehicle safety standards. If the motor vehicle possesses front seats and rear seats, then any such child under twelve (12) years of age may not be transported in a front seat.

SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.

On motion, House Transportation Committee Amendment No. 1 was adopted.

Rep. Ridgeway moved adoption of House Transportation Committee Amendment No. 2 as follows:

#### **Amendment No. 2**

AMEND Senate Bill No. 1731 By deleting from subsection (c)(2) of Section 1 as amended the language "using a child passenger booster-seat restraint system meeting federal motor vehicle safety standards" and by substituting instead the language "using a separate carrier, an integrated child seat or a belt-positioning booster seat".

On motion, Amendment No. 2 was adopted.

Rep. Ridgeway moved adoption of House Transportation Committee Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 1731 By deleting subsection (b) of Section 1 as amended in its entirety and by substituting instead the following language:

(b) Tennessee Code Annotated, Section 55-9-602(a), is further amended by deleting the second sentence of the subsection in its entirety and by substituting instead the following:

Nothing in this subsection restricts:

(1) A mother from removing the child from the restraint system and holding the child when the mother is nursing the child; or

(2) A passenger, if two (2) or more adults are in the vehicle, from removing the child from the restraint system and holding the child while changing the diaper of such child.

Rep. Caldwell moved that Amendment No. 3 be tabled, which motion failed by the following vote:

Ayes .....	35
Noes .....	44

Representatives voting aye were: Arriola, Boyer, Brown, Caldwell, Cole (Carter), Cooper, Curtiss, DeBerry J, Ferguson, Fitzhugh, Fraley, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McDaniel, Miller, Patton, Phelan, Pruitt, Rhinehart, Sands, Sargent, Shaw, Shepard, Todd, Towns, Turner (Shelby), Turner (Davidson), West, Windle -- 35.

Representatives voting no were: Baird, Beavers, Bittle, Black, Bone, Bowers, Buck, Chumney, Clem, Cole (Dyer), Davidson, Davis (Washington), Dunn, Ford, Fowlkes, Givens, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, McDonald, McKee, Montgomery, Mumpower, Newton, Pinion, Pleasant, Ridgeway, Rinks, Roach, Rowland, Scroggs, Sharp, Tidwell, Turner (Hamilton), Vincent, Walker, White, Winningham, Wood -- 44.

Rep. Ridgeway moved adoption of House Transportation Committee Amendment No. 3, which motion failed.

Rep. Brooks moved that **Senate Bill No. 1731**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	62
Noes .....	22
Present and not voting .....	7



## THURSDAY, MAY 24, 2001 – FORTY-THIRD LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Bowers, Briley, Brooks, Brown, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Hargett, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDonald, McMillan, Miller, Newton, Overbey, Patton, Phelan, Pleasant, Pruitt, Rhinehart, Roach, Sands, Sargent, Scroggs, Shaw, Shepard, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), West, Westmoreland, White, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 62.

Representatives voting no were: Beavers, Bittle, Boyer, Clem, Davis (Washington), Dunn, Godsey, Goins, Hagood, Harwell, Johnson, McDaniel, McKee, Montgomery, Mumpower, Rinks, Rowland, Sharp, Tidwell, Vincent, Walker, Wood -- 22.

Representatives present and not voting were: Black, Bone, Buck, Bunch, Buttry, Pinion, Ridgeway -- 7.

A motion to reconsider was tabled.

**House Bill No. 1582** -- Taxes - Imposes tax of \$5.00 on bail bonds; does not create new bail bond because of increase in amount of bond. Amends TCA Title 40, Chapter 11 and Title 67, Chapter 4. by \*Rinks. (\*SB1496 by \*Rochelle)

Rep. Rinks moved that House Bill No. 1582 be reset for the Regular Calendar on May 29, 2001, which motion prevailed.

**House Bill No. 1590** -- Hospitals and Health Care Facilities - Gives private act hospital authority same exemption as metropolitan hospital authority has from payment of state taxes or fees and from payment of all county and municipal taxes; includes same requirement to pay county and municipal fees; authority may agree to payment of tax equivalents to creating or participating governing authority or entity. by \*Rinks. (\*SB1624 by \*Clabough)

Rep. Rinks moved that House Bill No. 1590 be reset for the Regular Calendar on May 29, 2001, which motion prevailed.

**\*House Joint Resolution No. 34** -- General Assembly, Statement of Intent or Position - Expresses sense of general assembly that state should honor commitment to compensate federally qualified health centers and FQHC look-alikes at minimum of 90 percent of costs related to providing health care to TennCare enrollees for fiscal year 2000-2001. by \*Rinks, \*Armstrong, \*Head, \*Jones U (Shelby), \*Cooper B, \*Windle, \*Westmoreland, \*Williams (Williamson), \*Whitson, \*Patton, \*McDaniel.

Rep. Rinks moved that House Joint Resolution No. 34 be adopted.

Rep. Rhinehart moved adoption of House Commerce Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Joint Resolution No. 34 by deleting the language after the caption in its entirety and by substituting instead the following:

WHEREAS, federally qualified health centers (FQHCs) provide community-based, cost-effective primary health care services to all people, regardless of their ability to pay; and

WHEREAS, there are 58 federally qualified health centers in Tennessee, serving 80 counties; and

WHEREAS, almost 200,000 Tennesseans are patients of federally qualified health centers; and

WHEREAS, federally qualified health centers have a market share of 3.3% of the state's population; however, they service twelve point eight percent (12.8%) of all Tennesseans living in poverty. Forty-seven point two percent (47.2%) of their patients live at or below poverty level; and

WHEREAS, a breakdown of the payer mix for Tennessee's FQHCs as compared to the State's population as a whole follows:

Forty-four point seven percent (44.7%) of federally qualified health center patients are on TennCare: compared to twenty-three percent (23%) for the State;

Twenty-six point eight percent (26.8%) of federally qualified health center patients are uninsured: compared to six point two percent (6.2%) for the State;

Nine point four percent (9.4%) of federally qualified health center patients are on Medicare: compared to fifteen point one percent (15.1%) for the State; and

Seventeen point three percent (17.3%) of federally qualified health center patients have Commercial Insurance: compared to fifty five point seven percent (55.7%) for the State; and

WHEREAS, TennCare reimbursement of FQHCs does not cover the actual costs of providing care. Every time a federally qualified health center provides care to a TennCare client the FQHC loses money; and

WHEREAS, federally qualified health centers serve a higher proportion of children and women of childbearing age than do their statewide equivalents; and

WHEREAS, federally qualified health centers serve a higher proportion of Black and Hispanic patients than do their statewide equivalents; and

WHEREAS, there appear to be provider capacity issues for federally qualified health centers in certain markets, where there are barely enough providers to meet the patient care demands; and

WHEREAS, there is limited availability of dental services provided by FQHCs in spite of huge documented need; and

WHEREAS, there are limited behavioral health services provided by FQHCs in spite of data indicating a notable portion of federally qualified health centers primary diagnoses that indicate a need for behavioral health services; and

WHEREAS, FQHCs are increasingly the backbone of primary health care services provided in underserved rural and urban areas of the state; and

WHEREAS, FQHCs are vitally important to the maintenance of adequate TennCare networks of care; and

WHEREAS, the State of Tennessee has sought federal approval to pay the state's FQHCs an additional ten million dollars (\$10 million) from the TennCare budget for the 1999-2000 fiscal year in order to compensate the FQHCs for at least ninety percent (90%) of their costs related to the care of TennCare patients; and

WHEREAS, the U.S. Congress recently enacted into law Section 702 of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act (BIPA) of 2000, which amends Section 1902(a) of the Social Security Act and requires a prospective payment system (PPS) for FQHCs and FQHC look-alikes as of January 1, 2001; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That it is the sense of this General Assembly that the TennCare Bureau, or its successor agency, should comply with FQHC and FQHC look-alike reimbursement provisions prescribed by federal law effective January 1, 2001.

BE IT FURTHER RESOLVED, That an enrolled copy of this resolution be transmitted to the Executive Director of the TennCare Bureau, the Commissioner of Health and the Commissioner of Finance and Administration.

On motion, House Commerce Committee Amendment No. 1 was adopted.

Rep. Rinks moved that **House Joint Resolution No. 34**, as amended, be adopted, which motion prevailed by the following vote:

Ayes .....	91
Noes .....	1

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Turner (Davidson) -- 1.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 144** -- Highway Signs - "Joseph W. Blount Memorial Highway," U.S. Highway 64 in Hardin County. by \*Rinks.

Rep. Rinks moved that House Joint Resolution No. 144 be adopted.

On motion, Rep. Ridgeway withdrew House Transportation Committee Amendment No. 1.

Rep. Ridgeway moved that the House reconsider its action in withdrawing House Transportation Committee Amendment No. 1, which motion prevailed.

Rep. Ridgeway moved adoption of House Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Joint Resolution No. 144 By inserting the following new resolving clause immediately preceding the last resolving clause of the printed resolution:

BE IT FURTHER RESOLVED, That this resolution shall become operative only if Hardin County, Tennessee, either (1) remits the estimated cost of the erection of such signs to the Department of Transportation within one (1) year of the effective date of this resolution, or (2) manufactures and erects such signs pursuant to state and federal guidelines and as approved by the Department. If electing option (1), Hardin County shall make such payment prior to any expenditure by the state for manufacture or installation of such signs. The Department shall return any unused portion of the estimated cost to Hardin County within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, Hardin County shall remit an amount equal to the difference in such costs to the Department within thirty (30) days of receiving an itemized invoice of the actual cost from the Department.

On motion, House Transportation Committee Amendment No. 1 was adopted.

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Rep. Rinks moved that **House Joint Resolution No. 144**, as amended, be adopted, which motion prevailed by the following vote:

Ayes .....93  
Noes .....1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Turner (Davidson) -- 1.

A motion to reconsider was tabled.

**House Bill No. 655** -- Taxes - Clarifies that mortgage re-financings are included within definition of "business of a financial institution" for franchise and excise tax purposes. Amends TCA Title 5; Title 6; Title 7; Title 8; Title 9; Title 16; Title 45; Title 48; Title 51; Title 56; Title 57; Title 61; Title 62; Title 67 and Title 68. by \*Kisber. (\*SB622 by \*Cooper J)

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

**REGULAR CALENDAR, CONTINUED**

Rep. Kisber moved that House Bill No. 655 be passed on third and final consideration.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 655 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 56, Part 1, is amended by adding the following as a new section:

Section 6-56-113.

(a) Any municipality that had a decrease in population from the 1990 federal census to the 2000 federal census of thirty-five percent (35%) or more because of the closing of federal military installations or otherwise shall have amounts from state-shared taxes distributed on the basis of population reduced based upon the population decrease only as follows:

(1) For the fiscal year beginning July 1, 2001, a reduction of twenty-five percent (25%) of the total amount these state-shared revenues would otherwise have decreased.

(2) For the fiscal year beginning July 1, 2002, a reduction of fifty percent (50%) of the total amount these state-shared revenues would otherwise have decreased.

(3) For the fiscal year beginning July 1, 2003, a reduction of seventy-five percent (75%) of the total amount these state-shared revenues would otherwise have decreased.

(4) For the fiscal year beginning July 1, 2004, a reduction of one hundred percent (100%) of the total amount these state-shared revenues would otherwise have decreased.

(b) These reductions are based only upon the difference between what the municipality would have received had its population not decreased and what it would have received based only upon its population in the 2000 federal census. Nothing in this section prohibits such a municipality from having a special census done as otherwise provided by law to adjust amounts distributed based only upon population, notwithstanding the phased-in reductions in the decrease provided in this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	1
Present and not voting .....	1

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Turner (Davidson) -- 1.

Representatives present and not voting were: Patton -- 1.

A motion to reconsider was tabled.

Rep. Kisber moved that **House Bill No. 655**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	87
Noes .....	1
Present and not voting .....	3

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Phelan, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Turner (Davidson) -- 1.

Representatives present and not voting were: Beavers, Black, Patton -- 3.

A motion to reconsider was tabled.

**House Bill No. 1273** -- TennCare - Proclaims intent of general assembly to stabilize TennCare, to work to assure that health care providers are timely paid, and to insure that health care facilities for urban and rural enrollees remain viable. Amends TCA Title 3; Title 33; Title 36; Title 37; Title 47; Title 56; Title 63; Title 68 and Title 71. by \*Kisber. (\*SB1232 by \*Cooper J)

On motion, House Bill No. 1273 was made to conform with **Senate Bill No. 1232**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 1232 be passed on third and final consideration.

**THURSDAY, MAY 24, 2001 – FORTY-THIRD LEGISLATIVE DAY**

On motion, Rep. Head withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Kisber moved that **Senate Bill No. 1232** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....90  
Noes .....1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Turner (Davidson) -- 1.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from not voting to aye on Senate Bill No. 1232 and have this statement entered in the Journal: Rep(s). Chumney.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 779** -- Employees, Employers - Creates "False Claims Act." Amends TCA Title 4; Title 8 and Title 50. by \*Briley, \*Hargett, \*Pleasant. (\*SB261 by \*Cohen)

Rep. Briley moved that House Bill No. 779 be passed on third and final consideration.

Rep. Buck moved adoption of House Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 779 by deleting the following language in SECTION 3:

may be liable to the state or political subdivision for a civil penalty of up to ten thousand dollars (\$10,000)

and substituting instead the language:



shall be liable to the state or political subdivision for a civil penalty of not less than two thousand five hundred dollars (\$2,500) and not more than ten thousand dollars (\$10,000)

AND FURTHER AMEND by deleting the language "exclusively involved." at the end of the first sentence of SECTION 4 subsection (c)(1) and substituting instead the following: "involved, or for both the state and political subdivision if state and political subdivision funds are involved."

AND FURTHER AMEND by deleting the language "chancery court" in SECTION 4 subsection (c)(2) and substituting instead the language "circuit or chancery court"

AND FURTHER AMEND by adding the following at the end of SECTION 4 subsection (c)(2): "This subsection shall not be construed as prohibiting an action being brought in federal court that involves claims from several states or claims involving federal funds."

On motion, House Judiciary Committee Amendment No. 1 was adopted.

Rep. Buck moved adoption of House Judiciary Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 779 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_ This act shall not apply to any conduct, activity or claims covered by the Medicaid False Claims Act, Tennessee Code Annotated, § 71-5-181 through §71-5-185, including without limitation, claims arising out of funds paid to or by TennCare managed care organizations.

On motion, House Judiciary Committee Amendment No. 2 was adopted.

Rep. Briley moved that **House Bill No. 779**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....88  
Noes.....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bowers, Boyer, Briley, Brooks, Buck, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, Westmoreland, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

A motion to reconsider was tabled.

THURSDAY, MAY 24, 2001 – FORTY-THIRD LEGISLATIVE DAY

**House Bill No. 884** -- Alcoholic Offenses - Effective September 30, 2003, decreases from .10 percent to .08 percent blood alcohol content required to commit offense of DUI only if enactment of .08 percent DUI law is still federally required; repeals offense of adult DWI, but permits use of prior convictions for certain purposes; requires drug and alcohol assessment and treatment and use of ignition interlock device if person is convicted of second offense DUI and first conviction occurred within previous five years. Amends TCA Title 40, Chapter 33, Part 2 and Title 55, Chapter 10, Part 4. by \*Head, \*Newton, \*Langster. (\*SB1471 by \*Haun)

Rep. Head moved that House Bill No. 884 be reset for the Regular Calendar on May 31, 2001, which motion prevailed.

**House Bill No. 135** -- Sports - Enacts "Uniform Athlete Agents Act of 2001." Amends TCA Title 49, Chapter 7, Part 21; Title 62 and Title 67. by \*Head, \*Todd, \*Roach, \*Westmoreland, \*Davis (Cocke), \*Arriola, \*Ford S, \*Montgomery. (\*SB22 by \*Cohen, \*Williams, \*Cooper J, \*Elsea, \*Crowe, \*Person, \*Crutchfield, \*Atchley, \*Burchett, \*Fowler, \*Ramsey, \*Rochelle, \*Harper, \*Haun, \*Haynes)

Further consideration of House Bill No. 135 previously considered on May 14, 2001, at which time it was reset for today's Calendar.

On motion, House Bill No. 135 was made to conform with **Senate Bill No. 22**; the Senate Bill was substituted for the House Bill.

Rep. Head moved that Senate Bill No. 22 be passed on third and final consideration.

On motion, Rep. Winningham withdrew House Education Committee Amendment No. 1.

Rep. Head moved that **Senate Bill No. 22** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**THURSDAY, MAY 24, 2001 – FORTY-THIRD LEGISLATIVE DAY**

**House Bill No. 888** -- County Officers - Gives county legislative body authority to increase compensation of county officials, over and above increase mandated by law, to same extent compensation is increased for other county officials or employees. Amends TCA Title 5, Chapter 1, Part 3 and Title 8, Chapter 24. by \*Head. (\*SB336 by \*Clabough)

Rep. Head moved that House Bill No. 888 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 888 by deleting all the language of the printed bill after the enacting clause and by substituting the following:

SECTION 1. Tennessee Code Annotated, Section 8-24-102 is hereby amended by deleting the last sentence in subsection (a).

SECTION 2. Tennessee Code Annotated, Section 8-24-102 is hereby amended by deleting subsection (b) and substituting the following:

(b) Beginning July 1, 2001, general officers shall receive minimum compensation per year as follows:

County General Population		Officers
920,000 and more	\$	94,805
500,000 to 919,999		89,805
400,000 to 499,999		85,805
275,000 to 399,999		83,305
250,000 to 274,999		77,805
225,000 to 249,999		74,805
200,000 to 224,999		71,805
175,000 to 199,999		68,805
150,000 to 174,999		65,805
125,000 to 149,999		62,805
100,000 to 124,999		59,805
65,000 to 99,999		58,305
50,000 to 64,999		55,805
35,000 to 49,999		50,805
23,000 to 34,999		48,805
12,000 to 22,999		44,805
less than 11,999		39,305

SECTION 3. Tennessee Code Annotated, Section 8-24-102(d) is hereby amended by deleting the language "by the 1990 federal census" and by substituting the language "by the 2000 federal census".

SECTION 4. Tennessee Code Annotated, Section 8-24-102(e) is hereby amended by deleting the first sentence and by substituting the following sentence: On July 1, 2002, and each July thereafter, the minimum compensation for county officials, as provided by this section, shall be increased by a dollar amount equal to the average annualized general increase in state employees' compensation, including the equivalent percentage increase in average state employees' salaries represented by appropriated funds made available to address classification compensation issues, during the prior fiscal year multiplied by the compensation established herein for the county officials of the county with the median population of all counties. Provided however that the annualized general increase tied to the increase in state employees' compensation shall not exceed five percent (5%) in any given year.

SECTION 5. Tennessee Code Annotated, Section 8-24-102(g) is hereby amended by deleting the word "maximum" in the first sentence and further amended by deleting the word "payable" in the first sentence and by substituting the word "paid".

SECTION 6. Tennessee Code Annotated, Section 8-24-102 is hereby amended by deleting the existing subsections (c) and (f) in their entirety and by renumbering accordingly.

SECTION 7. Tennessee Code Annotated, Section 8-24-102 is hereby amended by adding the following as new appropriately designated subsections:

( ) The compensation for the sheriff and chief administrative officer of the county highway department shall be at least ten percent (10%) higher than the salary paid to the general officers of the county.

( ) All general officers of the county shall be paid the same salary with the exception of any education incentive payments made to certified public administrators under Tennessee Code Annotated, Section 5-1-310 and any payments made to the assessor of property under Tennessee Code Annotated, Section 67-1-508.

( ) The county legislative body of each county may increase or decrease compensation of county officials so long as the compensation is maintained at, or above, the minimum levels established herein.

SECTION 8. Tennessee Code Annotated, Section 5-1-310(i), is amended by deleting the first sentence thereof in its entirety and by substituting instead the following: Each county is encouraged and authorized to provide in its annual budget for payment of an annual educational incentive to employees as defined in Section 2920-102(2) who attain the designation of a "certified public administrator" pursuant to Section 5-1-308 in an amount not to exceed three thousand dollars (\$3,000.00) less any payment received from the State of Tennessee as provided in subsection (a). The incentive provided for by this section shall be paid from funds appropriated for such purpose and shall be paid in one payment no later than October 31.

SECTION 9. This act takes effect July 1, 2001, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Head moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 888 by adding the following as a new section immediately preceding the effective date section:

SECTION \_\_\_\_ Tennessee Code Annotated, Section 8-24-102, is amended by adding the following as a new, appropriately designated subsection:

( ) Any action by a county legislative body to exceed the minimum level of compensation for county officials established pursuant to this section must be included in a resolution scheduled for consideration on the agenda of the meeting. All meetings of the county legislative body shall comply with the requirements of the open meetings act contained in Title 8, Chapter 44, Part 1.

On motion, Amendment No. 2 was adopted.

Rep. Montgomery moved the previous question, which motion prevailed.

Rep. Head moved that **House Bill No. 888**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	2
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Chumney, Turner (Shelby) -- 2.

Representatives present and not voting were: DeBerry L -- 1.

A motion to reconsider was tabled.

**THURSDAY, MAY 24, 2001 – FORTY-THIRD LEGISLATIVE DAY**

**\*House Joint Resolution No. 286** -- Highway Signs - "Historic Downtown Franklin Shopping District," State Route 96 in Williamson County, by \*Williams (Williamson).

**BILL RE-REFERRED**

Rep. Williams moved that House Joint Resolution No. 286 be re-referred to the House Transportation Committee, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 830** -- Juvenile Offenders - Rewrites "Tennessee Teen Court Program of 2000." Amends TCA Section 8-42-101; Title 37, Chapter 1, Part 7 and Section 39-17-1505, by \*Fowlkes. (\*SB732 by \*Graves)

On motion, House Bill No. 830 was made to conform with **Senate Bill No. 732**; the Senate Bill was substituted for the House Bill.

Rep. Fowlkes moved that Senate Bill No. 732 be passed on third and final consideration.

On motion, Rep. Buck withdrew House Judiciary Committee Amendment No. 1.

Rep. Fowlkes moved that **Senate Bill No. 732** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Bill No. 1375** -- Garnishments and Executions - Prohibits garnishment of payments to state contractors and vendors; requires service of judgment on department commissioner and fiscal officer; voids judgments against state if garnished employee or officer not owed wages. Amends TCA Title 26, Chapter 2, Part 2, by \*Kent, \*Boyer, \*Scroggs. (SB1652 by \*Clabough, \*Athley)

Rep. Scroggs moved that House Bill No. 1375 be reset for the Regular Calendar on May 29, 2001, which motion prevailed.

**\*House Joint Resolution No. 327** -- Highway Signs - Adelphia Centre and Carroll Reece Museum at ETSU, I-81 at Exit 57 and I-181 at Exit 31A in Washington County. by \*Patton.

Rep. Patton moved that House Joint Resolution No. 327 be adopted.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Joint Resolution No. 327 by deleting from the caption of the introduced resolution the language "the Adelphia Centre and the Carroll Reece Museum at East Tennessee State University" and by substituting instead the language "the Adelphia Centre at Millenium Park".

AND FURTHER AMEND by deleting from the first resolving clause of the introduced resolution the language "the Adelphia Centre and the Carroll Reece Museum at East Tennessee State University" and by substituting instead the language "the Adelphia Centre at Millenium Park".

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Patton moved that **House Joint Resolution No. 327**, as amended, be adopted, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 712** -- Criminal Procedure - Defines and codifies "lesser included" criminal offenses and establishes rules for their use in criminal justice system. Amends TCA Section 40-18-110. by \*Sands, \*McMillan. (\*SB296 by \*Haynes)

On motion, House Bill No. 712 was made to conform with **Senate Bill No. 296**; the Senate Bill was substituted for the House Bill.

**CHAIR TO SPEAKER**

Mr. Speaker Naifeh resumed the Chair.

**REGULAR CALENDAR, CONTINUED**

Rep. Sands moved that Senate Bill No. 296 be passed on third and final consideration.

On motion, Rep. Buck withdrew House Judiciary Committee Amendment No. 1.

On motion, Rep. Buck withdrew House Judiciary Committee Amendment No. 2.

Rep. Sands moved that **Senate Bill No. 296** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	3
Present and not voting .....	2

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Brooks, Pruitt, Turner (Shelby) -- 3.

Representatives present and not voting were: Brown, Cooper -- 2.

A motion to reconsider was tabled.



**THURSDAY, MAY 24, 2001 – FORTY-THIRD LEGISLATIVE DAY**

**House Bill No. 1599** -- Education - Limits age ranges of instructional groups to range not to exceed 36 months for special education purposes; requires state board of education to set class size standards and case load standards for instructional personnel; severity of disability shall be weighing factor. Amends TCA Section 49-6-3110 and Section 49-1-104. by \*McDonald, \*Davis (Cocke), \*Sands, \*Shepard, \*Shaw, \*Hood, \*Towns, \*Winningham. (\*SB733 by \*Graves)

Rep. McDonald moved that House Bill No. 1599 be reset for the Regular Calendar on May 30, 2001, which motion prevailed.

**\*House Bill No. 474** -- Children - Establishes procedure for parents to surrender unwanted infants to hospital or emergency care provider; ensures immunity from criminal prosecution to parents acting in accord with this act; establishes community and school education program regarding child-care, pregnancy, and services available for parents Amends TCA Section 34-11-103; Title 36; Section 63-6-218 and Title 68. by \*Maddox, \*Boyer, \*McCord, \*Bunch, \*Overbey. (SB774 by \*Harper, \*Kyle, \*Clabough, \*Williams)

On motion, House Bill No. 474 was made to conform with **Senate Bill No. 774**; the Senate Bill was substituted for the House Bill.

Rep. Maddox moved that Senate Bill No. 774 be passed on third and final consideration.

On motion, Rep. Chumney withdrew House Children and Family Affairs Committee Amendment No. 1.

Rep. Chumney moved adoption of House Children and Family Affairs Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 774 by adding the following language as a new subsection (f) to Section 36-1-142 in the amendatory language of Section 2 of the bill:

(f) The department shall designate one or more persons to serve as a contact in the event the mother requires additional information, including but not limited to the legal effect of voluntary delivery of her infant, revocation of voluntary delivery, availability of relevant social services and follow-up inquiries once the mother has left the facility. The department shall provide all facilities designated to receive infants under this section with the name, phone number and other necessary information regarding such contact person.

AND FURTHER AMEND by adding the following language to the last sentence of Section 68-11-255(c) of the amendatory language of Section 1, after the language "service agencies," and before the words "and shall":

shall provide the mother the name, address and phone number of the department contact person,

On motion, House Children and Family Affairs Committee Amendment No. 2 was adopted.

**THURSDAY, MAY 24, 2001 – FORTY-THIRD LEGISLATIVE DAY**

Rep. McCord moved the previous question, which motion failed by the following vote:

Ayes .....	43
Noes .....	39
Present and not voting .....	2

Representatives voting aye were: Armstrong, Beavers, Black, Bone, Boyer, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Goins, Hood, Johnson, Kent, Kisber, McCord, McDaniel, Montgomery, Overbey, Patton, Phelan, Pinion, Pleasant, Pruitt, Rinks, Roach, Rowland, Sargent, Scroggs, Sharp, Shepard, Tindell, Vincent, Walker, West, Westmoreland, Whitson, Wood, Mr. Speaker Naifeh -- 43.

Representatives voting no were: Arriola, Baird, Bowers, Briley, Brown, Clem, Cooper, Davis (Washington), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Hagood, Hargett, Hargrove, Harwell, Jones S, Langster, Lewis, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Phillips, Tidwell, Todd, Towns, Turner (Shelby), Turner (Davidson), Windle, Winningham -- 39.

Representatives present and not voting were: Kernell, Rhinehart -- 2.

After further debate, Rep. Rhinehart moved the previous question, which motion failed by the following vote:

Ayes .....	48
Noes .....	40
Present and not voting .....	1

Representatives voting aye were: Armstrong, Black, Bone, Boyer, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Fitzhugh, Ford, Goins, Head, Hood, Johnson, Kent, Kisber, Maddox, McCord, McDaniel, McDonald, Miller, Montgomery, Newton, Overbey, Phelan, Pinion, Pruitt, Rhinehart, Rinks, Sargent, Scroggs, Sharp, Shaw, Shepard, Tindell, Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Williams, Mr. Speaker Naifeh -- 48.

Representatives voting no were: Arriola, Baird, Beavers, Bowers, Briley, Brown, Clem, Cooper, Davis (Washington), DeBerry J, DeBerry L, Dunn, Ferguson, Fowlkes, Fraley, Givens, Godsey, Hagood, Hargett, Hargrove, Harwell, Jones S, Jones U, Langster, McKee, McMillan, Mumpower, Phillips, Pleasant, Ridgeway, Rowland, Sands, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Windle, Winningham, Wood -- 40.

Representatives present and not voting were: Kernell -- 1.

After further debate, Rep. Bunch moved the previous question, which motion failed by the following vote:

Ayes .....	58
Noes .....	35
Present and not voting .....	1

## THURSDAY, MAY 24, 2001 – FORTY-THIRD LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Baird, Black, Bone, Boyer, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), Fitzhugh, Ford, Fowlkes, Goins, Head, Hood, Johnson, Jones S, Kent, Kisber, Maddox, McCord, McDaniel, McDonald, Miller, Montgomery, Newton, Overbey, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sargent, Scroggs, Sharp, Tindell, Todd, Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Mr. Speaker Naifeh -- 58.

Representatives voting no were: Arriola, Beavers, Bowers, Briley, Brooks, Brown, DeBerry J, DeBerry L, Dunn, Ferguson, Fraley, Givens, Godsey, Hagood, Hargett, Hargrove, Harwell, Jones U, Langster, McKee, McMillan, Mumpower, Patton, Pleasant, Ridgeway, Sands, Shaw, Shepard, Tidwell, Towns, Turner (Hamilton), Turner (Shelby), Windle, Winningham, Wood -- 35.

Representatives present and not voting were: Kernell -- 1.

Rep. Givens moved that Senate Bill No. 774 be reset for the Regular Calendar on May 29, 2001, which motion prevailed.

### SPECIAL ORDER

Without objection, House Bill No. 2014 was taken up out of order, which motion prevailed.

### REGULAR CALENDAR, CONTINUED

**House Bill No. 2014** -- Shelby County - Subject to local approval, includes as authorized use of funds from hotel/motel tax payment of bonded indebtedness, including expenses from sale of bonds, for construction or modification of sports facility. Amends Chapter 131 of the Private Acts of 1969. by \*Bowers, \*Miller L, \*DeBerry J, \*Turner (Shelby), \*Towns, \*Todd, \*Cooper B, \*DeBerry L, \*Scroggs, \*Pleasant, \*Kent, \*Stanley, \*Brooks, \*Hargett, \*Kernell, \*Chumney, \*Jones U (Shelby). (SB1979 by \*Ford J, \*Dixon, \*Kyle, \*Cohen, \*Norris, \*Person)

Further consideration of House Bill No. 2014 previously considered on May 23, 2001, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. Bowers moved that House Bill No. 2014 be passed on third and final consideration.

Rep. Miller moved the previous question, which motion prevailed.

Rep. Bowers moved that **House Bill No. 2014** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0
Present and not voting .....	1

## THURSDAY, MAY 24, 2001 – FORTY-THIRD LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Chumney -- 1.

A motion to reconsider was tabled.

### SPECIAL ORDER

Without objection, the remaining bills on the Regular Calendar were reset for Tuesday, May 29, 2001.

### SUPPLEMENTAL REGULAR CALENDAR

**\*House Resolution No. 119** -- General Assembly, Statement of Intent or Position - Expresses support for House Resolution 808, pending in United States Congress, by \*Pinion, \*Shaw, \*Shepard, \*Buck, \*Ridgeway, \*Tidwell, \*Fitzhugh, \*Maddox, \*Davidson, \*Phelan, \*Cole (Dyer).

Rep. Pinion moved that **House Resolution No. 119** be adopted, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Davis (Washington) -- 1.

A motion to reconsider was tabled.

**MESSAGE CALENDAR**

Without objection, the Message Calendar was reset for Tuesday, May 29, 2001.

**UNFINISHED BUSINESS**

**MESSAGE FROM THE SENATE**

**May 24, 2001**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 348.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 1.

The Speaker appointed a Conference Committee composed of Senators Kyle, Chairman; Atchley, Burchett, Clabough, Cooper, Crutchfield, Elsea, Ford, Graves, Haun, Haynes, Henry, Herron, Rochelle and Williams to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 348.

RUSSELL A. HUMPHREY, Chief Clerk.

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 348** -- Taxes - Increases state sales tax by one-half cent effective July 1, 2001; repeals all state taxes effective July 1, 2003. Amends TCA Title 3; Title 4; Title 7; Title 8; Title 9; Title 11; Title 16; Title 18; Title 20; Title 29; Title 30; Title 31; Title 32; Title 35; Title 36; Title 38; Title 39; Title 40; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 54; Title 55; Title 56; Title 57; Title 60; Title 61; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 70 and Title 71. by \*Cooper J, \*Clabough. (HB1778 by \*Rinks, \*Fitzhugh)

Rep. Rinks moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to **Senate Bill No. 348**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED  
ON SENATE BILL NO. 348**

Pursuant to **Rule No. 73**, Representative Rinks moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 348, which motion prevailed.

The Speaker appointed Representatives Kisber, Chairman; Head, Vice Chairman; Armstrong, Boyer, Cole (Carter), Cole (Dyer), Davidson, L. DeBerry, Ford, Garrett, Kent, McDaniel, Rhinehart, Rinks and Whitson as the House members of the Conference Committee on Senate Bill No. 348.

**MOTION TO RESET BILLS**

On motion of Rep. Davidson, all bills reset for a Calendar on Monday, May 28, 2001 were reset for the Calendars on Tuesday, May 29, 2001, which motion prevailed.

**ANNOUNCEMENTS**

**RULES SUSPENDED**

Rep. L. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 493 out of order, which motion prevailed.

**House Joint Resolution No. 493** -- Memorials, Death - Mable Louise Landrum Boyd. by \*DeBerry L, \*Pruitt, \*Langster.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. L. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**  
**May 24, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1565; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**\*Senate Bill No. 1565** -- Highway Signs - Prohibits erection of new highway sign structure in which two or more displays are stacked one above other; stacked signs existing on or before effective date of act not to be deemed non-conforming until such sign's structure is modified, repaired, replaced, or rebuilt; structures with more than one display are allowed if size does not exceed statutory limits. Amends TCA Title 54, Chapter 21. by \*Ramsey. (HB1859 by \*McCord)

**MESSAGE FROM THE SENATE**  
**May 24, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1155; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 24, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2001, 2011 and 2012; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**ENGROSSED BILLS**

**May 24, 2001**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 655, 888, 1403, also, House Joint Resolution(s) No(s). 34, 144, 474 and 492.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**May 24, 2001**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 492; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 24, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 824 and 1682; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**Senate Bill No. 824** -- Tennessee Wildlife Resources Agency - Removes resident license and permit fees for all citizens 65 years of age or older under Title 70, including hunting, fishing, trapping, sportsman, and supplemental licenses (big game, trout), including at premier resorts and in wildlife management areas. Amends TCA Title 70, Chapter 2, by \*McNally, \*Burks. (\*HB559 by \*Boyer)

**Senate Bill No. 1682** -- Probation and Parole - Enacts "Interstate Compact for Supervision of Adult Offenders." Amends TCA 40-28-401 through 40-28-409. by \*Fowler, \*Clabough. (\*HB1404 by \*Todd, \*McDaniel, \*Hargett)

**ENROLLED BILLS**

**May 24, 2001**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 62, 128 and 130; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
May 24, 2001**

The Speaker signed the following: House Resolution(s) No(s). 62, 128 and 130.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
May 24, 2001**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 158, 196, 375, 388, 390, 391, 392, 393, 394, 395, 396, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 426, 427, 428, 429, 430, 431 and 432; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**ENGROSSED BILLS  
May 24, 2001**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 779, 2014, also, House Joint Resolution(s) No(s). 327 and 493.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
May 24, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 193, 459, 965, 1087, 1627, 1633, 1743, 1744, 1762, 1771; also, Senate Joint Resolution(s) No(s). 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 312, 313, 314 and 315 for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**SIGNED  
May 24, 2001**

The Speaker signed the following: Senate Bill(s) No(s). 193, 459, 965, 1087, 1627, 1633, 1743, 1744, 1762, 1771; also, Senate Joint Resolution(s) No(s). 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 312, 313, 314 and 315.



**MESSAGE FROM THE GOVERNOR**

**May 24, 2001**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 804, with his approval.

JAY BALLARD, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**May 24, 2001**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 330, without his signature.

JAY BALLARD, Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**May 24, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 60, 97, 228, 527, 1358, 1643, 1716, 1761, 1788, 1881; also, Senate Joint Resolution(s) No(s). 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 349 and 350 for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**SIGNED**

**May 24, 2001**

The Speaker signed the following: Senate Bill(s) No(s). 60, 97, 228, 527, 1358, 1643, 1716, 1761, 1788, 1881; also, Senate Joint Resolution(s) No(s). 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 349 and 350.

**ENROLLED BILLS**

**May 24, 2001**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2001, 2011, 2012; House Joint Resolution(s) No(s). 158, 196, 375, 388, 390, 391, 392, 393, 394, 395, 396, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 426, 427, 428, 429, 430, 431, 432; also, House Resolution(s) No(s). 119 and 129.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
May 24, 2001**

The Speaker signed the following: House Bill(s) No(s). 2001, 2011, 2012; House Joint Resolution(s) No(s). 158, 196, 375, 388, 390, 391, 392, 393, 394, 395, 396, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 426, 427, 428, 429, 430, 431, 432; also, House Resolution(s) No(s). 119 and 129.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
May 24, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2001, 2011, 2012; also, House Joint Resolution(s) No(s). 158, 196, 375, 388, 390, 391, 392, 393, 394, 395, 396, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 426, 427, 428, 429, 430, 431, 432; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**ENROLLED BILLS  
May 23, 2001**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 110, 1235, 1383; House Joint Resolution(s) No(s). 398, 399; also, House Resolution(s) No(s). 123, 124, 125, 126 and 127.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
May 24, 2001**

The Speaker signed the following: House Bill(s) No(s). 110, 1235, 1383; House Joint Resolution(s) No(s). 398, 399; also, House Resolution(s) No(s). 123, 124, 125, 126 and 127.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
May 24, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 110, 1235 and 1383; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**  
**May 24, 2001**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 398 and 399; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**  
**May 24, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 22, 296, 732, 1140, 1232; also, Senate Joint Resolution(s) No(s). 153 for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**SIGNED**  
**May 24, 2001**

The Speaker signed the following: Senate Bill(s) No(s). 22, 296, 732, 1140, 1232; also, Senate Joint Resolution(s) No(s). 153.

**REPORT OF CHIEF ENGROSSING CLERK**  
**May 24, 2001**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 110, 1235, 1383; also, House Joint Resolution(s) No(s). 398 and 399.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**CONSENT CALENDAR**  
**May 24, 2001**

The following local bills have been placed on the Consent Calendar for **May 29, 2001**: House Bill(s) No(s). 2017.

**ROLL CALL**

The roll call was taken with the following results:

Present.....96

## **THURSDAY, MAY 24, 2001 – FORTY-THIRD LEGISLATIVE DAY**

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

### **RECESS MOTION**

On motion of Rep. Davidson, the House stood in recess until 2:00 p.m., Tuesday, May 29, 2001.